

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

GEORGE BERRY, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Civil Action No. 03-CV-0447
v.)	
)	
HILLCREST FOODS, INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	

ORDER

THIS MATTER IS BEFORE THE COURT on the “Final Joint Settlement Report” (Document No. 105), filed June 30, 2006, by the plaintiffs – George Berry, Pacino Lindsay, Antijuán Love and Antonia Love – and the defendants – Hillcrest Foods, Inc. and Waffle House, Inc.

This case has been pending since September of 2003, and it has been stayed since September of 2005. On June 13, 2006, the Court entered an Order continuing the stay until June 30, 2006 and informing the parties that the stay would be lifted and the matter set for a status hearing if the parties could not complete the settlement by that date.

In response, the parties report that this action is one of a number of public accommodations cases pending in the federal courts in several states against franchise companies that own and operate Waffle house restaurants, and that the settlement agreement is global, requiring more time and effort than otherwise would be. The parties further report that persons participating in the settlement negotiations anticipate that an agreement will be signed by all parties within the next thirty (30) days. As a result, the parties have asked the Court to continue the stay in this case one more time, and to order them to execute a final agreement on

or before July 31, 2006, in order to avoid the stay being lifted and the need for a status hearing.

IT IS, THEREFORE, ORDERED that this action will continue to be **STAYED**. No parties shall be required to file or serve any pleadings, memoranda, disclosures or discovery during such time as this action is stayed. On or before **July 31, 2006**, the parties shall execute a final settlement agreement and inform the Court thereof. If on July 31, 2006, the parties are unable to inform the court of final settlement, the stay will be lifted and the matter set for a status hearing.

Signed: June 30, 2006



David C. Keesler
United States Magistrate Judge

